



## Westfield-Washington Township Board of Zoning Appeals (BZA)

Minutes of the Tuesday, June 13, 2023 BZA Meeting

*Presented for approval: July 11, 2023*

The Westfield-Washington Township Board of Zoning Appeals  
met at 7:00 p.m. on Tuesday, June 13, 2023 at Westfield City Hall.

Active Links for this meeting:

[June 13, 2023 BZA Agenda & Exhibits](#)

[June 13, 2023 BZA YouTube Video](#)

### **OPENING OF MEETING**

[YouTube Time: 0:29](#)

#### **ROLL CALL**

**BZA Members Present In-Person:** Jeannine Fortier, Noble Hatfield, Victor McCarty, and Dave Schmitz.

**BZA Members Present Virtually:** None.

**BZA Members Absent:** Jeff Boller.

**City Staff Present:** Daine Crabtree, Senior Planner; Lauren Gillingham, Senior Planner; and Ryan Collingwood, Associate Planner.

**City Staff Present Virtually:** None

**Legal Counsel Present:** Ashley Ulbricht with Taft Stettinius & Hollister LLP.

#### **APPROVAL OF MINUTES**

Fortier motioned to approve the May 16, 2023 Minutes.

McCarty seconded. Motion passed. Vote 4-0.

#### **REVIEW RULES AND PROCEDURES**

Crabtree reviewed BZA rules and procedures.

### **ITEMS OF BUSINESS**

#### **2306-VU-05 & 2306-VS-13 [PUBLIC HEARING]**

[YouTube Time: 3:20](#)

##### **17728 Sun Park Drive / Direct Repair Collision by Church, Church, Hittle + Antrim**

The Petitioner requests a Variance of Use to permit an Automotive Refurbishing Business and a Variance of Development Standard for the US Highway 31 Overlay District development standards exemption to be inapplicable to the 4.32 acre +/- Property in the Enclosed Industrial (EI) zoning district (Articles 5.2(L) and 13.2) (Planner: Weston Rogers- [wrogers@westfield.in.gov](mailto:wrogers@westfield.in.gov) / Presented by Daine Crabtree- [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner response.

Public Hearing for 2306-VU-05 & 2306-VS-13 opened at 7:11 p.m.

- No public comments.

Public Hearing for 2306-VU-05 & 2306-VS-13 closed at 7:14 p.m.

BZA comments & questions / Petitioner response.

McCarty motioned to approve 2306-VU-05 subject to the recommended conditions stated in the motion.

Fortier seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VU-05.

Fortier seconded. Motion passed. Vote 4-0.

McCarty motioned to approve 2306-VS-13 subject to the recommended conditions stated in the motion.

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Fortier seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-13.

Hatfield seconded. Motion passed. Vote 4-0.

### **2306-VU-06 [PUBLIC HEARING]**

[YouTube Time: 21:05](#)

#### **235 Penn Street / Stellhorn Equity, LLC**

The Petitioner requests a Variance of Use to permit Low-Intensity Retail (Beauty Salon) and a Professional Office Use on 0.3 acres +/- in the SF3: Single-Family Medium Density District (Article 13.2)

(Planner: Daine Crabtree – [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner response.

Public Hearing for 2306-VU-06 opened at 7:24 p.m.

- One public comment.

Public Hearing for 2306-VU-06 closed at 7:30 p.m.

Petitioner response / BZA comments & questions.

McCarty motioned to approve 2306-VU-06 subject to the recommended conditions stated in the motion.

Fortier seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VU-06.

Fortier seconded. Motion passed. Vote 4-0.

### **2306-VS-10 [PUBLIC HEARING]**

[YouTube Time: 41:21](#)

#### **15383 Whistling Lane / Dennis and Kristy Murphy**

The Petitioner requests a Variance of Development Standard to encroach eleven (11) feet into the thirty-five (35) foot Minimum Rear Yard Setback on 0.66 acres +/- in the Bridgewater PUD District to accommodate the installation of a swimming pool and deck.

(Planner: Daine Crabtree – [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Staff presentation / Petitioner & representative presentations / BZA comments & questions / Petitioner response.

Public Hearing for 2306-VS-10 opened at 7:42 p.m.

- One public comment.

Public Hearing for 2306-VS-10 closed at 7:44 p.m.

BZA comments & questions / Staff responses / Petitioner responses.

Fortier motioned to approve 2306-VS-10 subject to the recommended conditions stated in the motion.

Hatfield seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-10.

Fortier seconded. Motion passed. Vote 4-0.

### **2306-VS-11 [PUBLIC HEARING]**

[YouTube Time: 48:25](#)

#### **15326 Holcombe Drive / Jim & Jill Fennell**

The Petitioner requests a Variance of Development Standard to encroach eight (8) feet into the twenty (20) foot Minimum Rear Yard Setback on 0.16 acres +/- in the Harmony PUD District to accommodate a swimming pool and deck.

(Planner: Ryan Collingwood – [rcollingwood@westfield.in.gov](mailto:rcollingwood@westfield.in.gov))

Staff presentation / Petitioner presentation.

Public Hearing for 2306-VS-11 opened at 7:52 p.m.

- No public comments.

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Public Hearing for 2306-VS-11 closed at 7:57 p.m.

BZA comments & questions / Staff & Petitioner responses / BZA comments.

Hatfield motioned to approve 2306-VS-11 subject to the recommended conditions stated in the motion.

McCarty seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-11.

Fortier seconded. Motion passed. Vote 4-0.

### **2306-VS-12 [PUBLIC HEARING]**

[YouTube Time: 1:09:32](#)

**Freemont Moore Road, ¼ Mile South of E. 206<sup>th</sup> Street / Stephen M. Bell, Jr. by Church, Church, Hittle + Antrim**

The Petitioner requests a Variance of Development Standard to modify Minimum Lot Frontage standards for the development of two (2) residential lots on 10.83 acres +/- in the AG-SF1: Agriculture/Single-Family Rural District (Article 4.2(D))

(Planner: Weston Rogers- [wrogers@westfield.in.gov](mailto:wrogers@westfield.in.gov) / Presented by Daine Crabtree- [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner response.

Public Hearing for 2306-VS-12 opened at 8:12 p.m.

- One public comment.

Public Hearing for 2306-VS-12 closed at 8:14 p.m.

Petitioner responses / BZA comments & questions / Staff responses

Fortier motioned to approve 2306-VS-12 subject to the recommended conditions stated in the motion.

McCarty seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-12.

Fortier seconded. Motion passed. Vote 4-0.

### **2306-VS-14 [PUBLIC HEARING]**

[YouTube Time: 1:24:46](#)

**14933 Thatcher Lane / CBRE Group, Inc. by NELO Arch., Inc**

The Petitioner requests a Variance of Development Standard to encroach fifteen (15) feet into the forty-five (45) foot Minimum Side Yard Setback as required by the US Highway 31 overlay District to accommodate the redevelopment of a 0.95 acre +/- Property in the SB-PD: Special Business Planned Development District (Article 5.2(E)(4) as applied to Article 4.22(B))

(Planner: Lauren Gillingham – [lgillingham@westfield.in.gov](mailto:lgillingham@westfield.in.gov))

Staff presentation / Petitioner comments / BZA questions / Petitioner response.

Public Hearing for 2306-VS-14 opened at 8:26 p.m.

- No public comments.

Public Hearing for 2306-VS-14 closed at 8:28 p.m.

BZA comments & questions / Petitioner & Staff responses.

Fortier motioned to approve 2306-VS-14.

Hatfield seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-14.

Fortier seconded. Motion passed. Vote 4-0.

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**2306-VS-15 [PUBLIC HEARING]**

[\*YouTube Time: 1:31:48\*](#)

**1290 Hartswick Court / Henke Development Group, LLC**

The Petitioner requests a Variance of Development Standard to encroach six (6) feet into the twenty-five (25) foot Minimum Rear Yard Setback on 0.16 acres +/- in the Chatham Hills PUD District to accommodate a single-family residence with an attached garage.

(Planner: Ryan Collingwood – [rcollingwood@westfield.in.gov](mailto:rcollingwood@westfield.in.gov))

Staff presentation / Petitioner presentation.

Public Hearing for 2306-VS-15 opened at 8:33 p.m.

- No public comments.

Public Hearing for 2306-VS-15 closed at 8:34 p.m.

BZA comments.

Hatfield motioned to approve 2306-VS-15 subject to the recommended conditions stated in the motion.

McCarty seconded. Motion passed. Vote 4-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2306-VS-15.

Fortier seconded. Motion passed. Vote 4-0.

**ITEMS CONTINUED TO A FUTURE MEETING**

*No Continued Items.*

**REPORTS/COMMENTS:**

[\*YouTube Time: 1:37:12\*](#)

- Plan Commission Liaison
- Community Development Department

**ADJOURNMENT**

Schmitz motioned to adjourn the meeting. Fortier seconded. Motion passed. Vote 4-0.

The meeting adjourned at 8:38 p.m.

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## **Signature Page for BZA Minutes for June 13, 2023**

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Chairperson  
Dave Schmitz

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Secretary  
Kevin M. Todd, AICP  
Director